



State of Arizona  
Board of Respiratory Care Examiners  
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**BOARD OF RESPIRATORY CARE EXAMINERS  
BOARD MEETING MINUTES**

Thursday, July 17, 2008, at 9:00 a.m.  
Basement Conference Room B-1  
1400 W. Washington, Phoenix AZ

**Board Members Present:** Chair Toni Rodriguez, Vice Chair Becky Brimhall, Catherine Lindstrom, James Love, David Sanderson, John O'Donnell and Bill Cohagen

**Board Members Absent:**

Staff Present: Mary Hauf Martin, Executive Director  
  
Valarie Davis, Licensing Specialist  
  
David Geriminsky, Regulatory Investigator

**Board's Legal Counsel:** Michelle L. Wood, Assistant Attorney General

**I CALL TO ORDER**

The Meeting was called to order at 9:00 a.m. by Board Chair Toni Rodriguez, Ed.D.

**DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT**

**1. Persantine Stress Tests.**

The Board has received two requests, from RCPs who work at the same facility, for a review of this **Scope of Practice** Question.

An Intravenous Persantine stress test is generally done on patients with coronary artery disease who cannot undergo a stress test on a treadmill. In most cases, the patient has a history of heart rhythms irregularities. The patient has a radioactive tracer placed in the I.V., and then a scan is conducted. The goal is a diagnostic one: Usually, it is done to identify decreased blood flow or scarring.

After discussion, the Board voted to issue a letter on this scope of practice issue as follows:

Advisory Opinion Statement on Persantine Stress Test

The Arizona State Board of Respiratory Care Examiners, at a public meeting conducted on July 17, 2008, arrived at the following Advisory Opinion Statement on Persantine Stress Testing.

The practice of respiratory care is defined by A.R.S. §32-3501. The statute pertinent to this Advisory Opinion Statement is cited below:

“5. 'Practice of respiratory care' means direct and indirect respiratory care services performed in a clinic, hospital, skilled nursing facility or private dwelling or other place deemed appropriate or necessary by the board in accordance with the prescription or verbal order of a physician and performed under qualified medical direction. These services include:

- (a) Administering pharmacological, diagnostic and therapeutic agents related to respiratory care procedures and necessary to implement a treatment, disease prevention, pulmonary rehabilitative or diagnostic regimen prescribed by a physician.”

It is the opinion of the Board that the performance of persantine stress testing is within the scope of practice of a RCP as long as the Practitioner: 1) has received appropriate training in all aspects of the procedure to be performed as documented by qualified personnel; 2) is performing the procedure in accordance with the prescription or order of a qualified physician; and, 3) is under direct medical supervision during performance of the test as defined by HCFA Supervision Requirement for Diagnostic Tests effective July 1, 2001. ([Program Memorandum, Transmittal B-01-28](#))

While an RCP may administer the test, it is the opinion of the Board that qualified physician supervision must be present to diagnose and treat emergent adverse reactions that may occur during the performance of the test. An RCP who assumes the role of diagnosis and treatment without appropriate medical supervision would exceed the Respiratory Care Scope of Practice and therefore be subject to disciplinary action by the Board.

This is an Advisory Opinion Statement of the Arizona Board of Respiratory Care Examiners that will in the near future be followed by adoption of a substantive policy statement related matter. The Board welcomes any related comments on this topic.

## **II APPROVAL OF MINUTES**

Meeting held on, June 19, 2008

**Bill Cohagen** moved approval of the Minutes as presented. **John O'Donnell** seconded. **The Motion passed.**

## **III DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE**

A. Recommended for approval by the Executive Director

Daniel Cardenas	Kimberly Hartley	Brenda Hopkins
Cristy Mann	Crystal Nalley	Rachel Nelson
Mario Nuzzo	Kami Perry	Alice Robb
Stephanie Shepherd	Jonathan Stanley	Erica White
Danielle Wolf		

**James Love** moved approval of the above mentioned individuals listed who are and recommended by the Executive Director. **Becky Brimhall** seconded the Motion. **The Motion passed.**

B. Application for Licensure/Interview

1. Christina Beckman	Case Number C002261-08-008387
2. Khristopher Middaugh	Case Number C002186-08-8145

1. Christina Beckman Case Number C002261-08-008387

Ms. Beckman was present. The Executive Director summarized Ms. Beckman's situation, stating that she had provided the necessary documents establishing that she is eligible for permanent licensure. After discussion, **Catherine Lindstrom** moved that Ms. Beckman be granted a license under an order of rehabilitative probation. The probation would consist of competing all of Ms. Beckman's court terms along with all the standard terms of probation. **Bill Cohagen** seconded. **The Motion passed.**

2. Khristopher Middaugh Case Number C002186-08-8145

Mr. Middaugh was not present. **John O'Donnell** moved to table this matter to the next regularly scheduled meeting. After discussion, **James Love** seconded. **The Motion Passed.**

C. Re-Application for Licensure

Recommended for approval by the Executive Director

Maria Lucas

**John O'Donnell** moved to approve the above mentioned individual's reapplication for licensure. After discussion, **David Sanderson** seconded. **The Motion Passed.**

D. Ratification of Temporary Licenses Issued pursuant to A.R.S. § 32-3521

Raymond Blowers	Vanessa Bustin	Scott Callahan
April Carey	Vincent Cohanen	David Crowson
Laticia DeCory	Ashley Estrada	Teri Garcia
Randall Genet	Joshua Globke	LaSheena Harris

Keophaythoune Mack  
Scott Ray  
LaDonna Shomlea  
Sharon Warren

Shawn Maness  
Debora Salazar-Joyner  
Vincent Thomas  
Kabrina Wilkin

James Peterson  
Breanna Sayer  
Bryce Waddell  
Eugina Williams

**Becky Brimhall** moved ratification of the above mentioned individual's temporary licenses. **John O'Donnell** seconded the Motion. **The Motion passed unanimously.**

#### **IV DISCUSSION/ACTION ON ADMINISTRATIVE CLOSING OF APPLICATION FILES**

Recommended for closing of application files.

Joy Burgess  
Thomas Pearce

Brooke Kjos

Arturo Ortiz-Nava

**John O'Donnell** moved that the Board administratively close the application files of the above mentioned individuals. **David Sanderson** seconded. **The Motion passed.**

#### **V DISCUSSION/ACTION ON ADMINISTRATIVE CLOSING OF TWO YEAR INACTIVE FILES**

The Executive Director stated that these were routine two year inactive license files.

Recommended for closing of inactive files.

Robert Aastrom  
Barbara Brokl  
Raquel Gutierrez  
Richard Thompson

James Amos  
Daniel Cosa  
Jacqueline Jooyan  
Desiree Webster

Candus Ball  
Adriana Cruz  
Patricia Myers

Jo Vallancourt - Administratively Suspended

**John O'Donnell** moved that the Board administratively close the two year inactive files of the above mentioned individuals. **Becky Brimhall** seconded. **The Motion passed.**

#### **VI DISCUSSION/ACTION ON NOTICES OF LICENSE EXPIRATIONS**

The Executive Director stated that these were routine license expirations.

Notice of License Expirations to the following individuals:

Tara Almony  
Tara Dutton  
James Houston  
Michael McGowan

Bernice Barry  
Teresa Falcone  
Tanya Jakubovski  
Suzanne Nelson

Katherine Dunn  
Priya Ghai  
Douglas Krawiec  
Richard Niesluchowski

Danika Otero  
Kerry Rondeau  
Adam Turigliatto  
Deena Wyan

Charles Peterson  
Debbie Rudner  
Irma Vasquez  
Stacy Wyss

Tracey Roberts  
Teresa Shiver  
Rosalinda Wood

**Becky Brimhall** moved to approve these license expirations. **David Sanderson** seconded. **The Motion passed.**

## **VII DISCUSSION/ACTION ON RENEWAL OF LAPSED LICENSES**

The Executive Director reported that these were routine lapsed license renewals.

Ratify licenses issued by the Executive Director to individuals who met requirements for renewal.

Aurelian Matei  
James Nosek

Monica Miller

Teresa NiCastro

**John O'Donnell** moved to ratify these reinstated licenses. **Becky Brimhall** seconded. **The Motion passed unanimously.**

## **VIII CONSIDERATION AND ACTION ON INVESTIGATIONS OF UNPROFESSIONAL CONDUCT**

- |    |               |                             |
|----|---------------|-----------------------------|
| 1. | Aimee Hoffman | Case Number C002184-08-7474 |
| 2. | Brian Moore   | Case Number C002135-08-6892 |
| 3. | Steven Walker | Case Number C002177-08-6600 |
| 4. | Vicki Barthel | Case Number 7541-08-2333    |

1. Aimee Hoffman Case Number C002184-08-7474

Ms. Hoffman was not present but was represented by her legal counsel Ms. Christina Cassetta. The Executive Director summarized the allegation of unprofessional conduct against Ms. Hoffman. **Becky Brimhall** moved to take this allegation to the level of an Informal Interview. After discussion, **John O'Donnell** seconded. **The Motion Passed.**

2. Brian Moore Case Number C002135-08-6892

Mr. Moore was not present. The Executive Director summarized the allegation of unprofessional conduct against Mr. Moore. **Becky Brimhall** moved to take this allegation to the level of an Informal Interview. After discussion, **Bill Cohagen** seconded. **The Motion Passed.**

3. Steven Walker Case Number C002177-08-6600

Mr. Walker was present. The Executive Director summarized the allegation of

unprofessional conduct against Mr. Walker. **John O'Donnell** moved to dismiss this allegation. After discussion, **Becky Brimhall** seconded. **The Motion Passed.**

4. Vicki Barthel Case Number 7541-08-2333

Ms. Barthel was not present. The Executive Director summarized the allegation of unprofessional conduct against Ms. Barthel. Ms. Barthel has an addiction to narcotics. This is a condition that impairs judgment and can place the safety of patients, and the public, at risk. An investigation into this matter began on or around August 13, 2007, when a letter was received from Daniel Faretta.

On or about September 12, 2007, Respondent informed the Board in a letter that she voluntarily admitted herself to Banner Behavioral Health hospital on September 07, 2007.

On or about January 15, 2008, Respondent was witnessed hallucinating, with her eyes rolling back in her head. A 911 Emergency Call was made. Respondent displayed the behaviors of someone who is abusing pain medications.

In light of the above, and pursuant to A.R.S. § 32-3553(H), the Board held a public meeting on July 17, 2008, to determine whether there was reason to believe that Vicky Barthel has an addiction to narcotics. The Board's Executive Director duly caused the meeting to be noticed in accordance with the Arizona Open Meeting Law. Respondent was informed, in writing. She did not appear before the Board personally or by legal counsel. Evidence was presented to the Board to substantiate the allegation. Evidence was also presented that Respondent may not have reported a serious criminal offense, involving a felony charge for leaving the scene of an automobile accident. Furthermore, the evidence establishes that Respondent's behavior establishes an immediate threat to the public health and safety. After discussion **Becky Brimhall** moved to summarily suspend Ms. Barthel's license to practice respiratory care and to go to a Formal Hearing. After discussion, **Bill Cohagen** seconded. **The Motion Passed.**

**IX CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. 32-3553(G)**

- |    |                 |                                       |
|----|-----------------|---------------------------------------|
| 1. | Ty Williams     | Case Number 04426-07-2305, 11:00 a.m. |
| 2. | Teresa Shepherd | Case Number C002176-08-4373           |
| 3. | Jose Madrigal   | Case Number C002272-08-006628         |

1. Ty Williams, Case Number 04426-07-2305

Mr. Williams was present with Mr. Alan Tipton his legal counsel. The Executive Director reviewed the allegation of unprofessional conduct against Mr. Williams. After reviewing all case relevant documentation and discussion, **Chair Toni Rodriguez** moved to Table this item until Mr. Williams complete an evaluation in the area of substance abuse and verify his criminal history. **Catherine Lindstrom** Seconded. **The Motion Passed.**

2. Teresa Shepherd Case Number C002176-08-4373

Ms. Shepherd was present. The Executive Director reviewed the allegation of

unprofessional conduct against Ms. Shepherd. After reviewing all case relevant documentation and discussion, **Becky Brimhall** moved to dismiss the allegations against Ms. Shepherd. **James Love** Seconded. **The Motion Passed.**

**Recused: Bill Cohagen**

3. Jose Madrigal

Case Number C002272-08-006628

Mr. Madrigal was not present. The Executive Director reviewed the allegation of unprofessional conduct against Mr. Madrigal. After reviewing all case relevant documentation and discussion, **Becky Brimhall** moved to take this item to a Formal Hearing. **Catherine Lindstrom** Seconded. **The Motion Passed.**

## **X CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. §32-3553(G)**

1. Richard Wade Case Number C02236-07-0799, at 10:00 a.m.
2. Lori Harris-Schneider Case Number 06006-08-2321, at 10:30 a.m.

1. Richard Wade Case Number C02236-07-0799

On July 17, 2008, the Board held its monthly meeting, to consider suspending or revoking Respondent's license to practice respiratory care. David Sanderson recused himself from the participating in the matter.

Respondent was served by U.S. certified mail with the Board's Complaint and Notice of Hearing which gave Respondent notice of the time, place and location of the meeting. Respondent was not present. The Board reviewed a letter received from Respondent on July 9, 2008. In it, he states that he "will not be able to attend the meeting scheduled for July 17, 2008. I will be out of town from July 12 until July 19, 2008." He goes on to state that his health issues prevent him from being able to practice respiratory care at the current time.

Michelle L. Wood, representing the State of Arizona, called the Board's Executive Director as a witness. Mary Hauf Martin testified that the information in the Board's Complaint and Notice of Hearing was true and accurate to the best of her knowledge. Board members stated their concerns about an individual who is on probation for being intoxicated/impaired while on duty, who has not submitted 12-Step Attendance Logs for meetings attended for the past six months, and who refuses to comply with requests for random drug screens. Board members felt that the Respondent is not able to be regulated at this time. The Board found that a preponderance of evidence was presented to support the information in the allegation. After discussion, **Cathy Lindstrom** moved to adopt Findings of Fact and Conclusions of Law as set forth in the Complaint and Notice of Hearing. **Bill Cohagen** seconded. **The motion passed unanimously**, with David Sanderson not voting. **Cathy Lindstrom** moved to revoke Respondent's license to practice respiratory care in Arizona. **John O'Donnell** seconded. **The motion passed unanimously**, with David Sanderson not voting.

Board members stated that, due to the long history the Board has established with trying to work with Respondent and his non-compliance with his Probationary Order, if Respondent utilizes the provision in the law that allows an individual to apply for reinstatement of a license one year after a revocation, he will have to appear before the Board in person. The Board

expressed the opinion that Respondent will have to complete, and document his completion of, a rehabilitation program in order to be eligible to apply to reinstate his license.

Recused: David Sanderson

2. Lori Harris-Schneider Case Number 06006-08-2321

Ms. Harris-Schneider was not present. **John O'Donnell** moved to continue this hearing to the September Meeting. After discussion **James Love** Seconded. **The Motion Passed.**

## **XI CONSIDERATION AND ACTION ON PREVIOUS BOARD ACTION**

Informal Interview Regarding Probation Compliance

1. Ricky Sanford Case Number 00000-00-2124

Mr. Sanford was not present. **James Love** Moved to table this item. After discussion, **Bill Cohagen** seconded. **The Motion Passed.**

## **XII CALL TO THE PUBLIC**

There was no public presentation to the Board.

## **XIII ESTABLISH DATE AND TIME OF NEXT BOARD MEETING**

Thursday, August 21, 2008 at 9:00 a.m.

## **XIV ADJOURNMENT**

Chair Toni Rodriguez adjourned the meeting at 2:14 p.m., without objection

DATED this \_\_\_\_<sup>th</sup> day of August, 2008.

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Mary Hauf Martin, Executive Director